



Attorney's Docket No.: 6570.P039

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nikolai G. Nikolov

Application No.: 10/750,396

Filed: December 30, 2003

For: CLASSFILE CONVERSION INTO  
AN ORGANIZATION OF OBJECTS, AND  
MODIFICATION THEREOF, TO EFFECT  
BYTECODE MODIFICATION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner: Kimball, Makayla T.

Art Group: 2194

Confirmation No.: 8969

*I hereby certify that this correspondence is being  
deposited with the United States Postal Service as  
first class mail with sufficient postage in an envelope  
addressed to Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450 on*

*November 2, 2006*

*(Date of Deposit)*

*Janece Shannon*

*(Printed name)*

*Janece Shannon*

*(Signature)*

*11-2-2006*

*(Date)*

INFORMATION DISCLOSURE STATEMENT AND NOTICE OF OTHER PENDING  
APPLICATION(S)

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Applicant would like to bring to the Examiner's attention the following co-pending patent application(s), which is/are assigned to the assignee of the present application, and which may be relevant to the present application:

The Applicant would like to bring to the Examiners attention an Office Action received in one related copending application, U.S. patent application no. 10/749,617, entitled, "Of Modified Byte Code For Debugging, Testing and/or Monitoring Of Object Oriented Software," filed on December 30, 2003. Applicant has provided the Examiner with a copy of the related Office Action, claims as they stood in the related application prior to

the mailing of the Office Action and a copy of the claims as they were presented to the PTO in response to the Office Action.

**Applicants respectfully request that the above-listed items not be printed on the face of any patent which may issue from the present application.**

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability or constitutes prior art with respect to the present invention.


Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

- ☐ 37 C.F.R. §1.97(b).
- ☒ 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:
- ☐ A statement pursuant to 37 C.F.R. §1.97(e) or
- ☒ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).
- ☐ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:
- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
  - (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

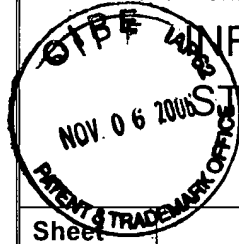
If there are any additional charges, please charge Deposit Account No. 02-2666.

Dated: 11/2/06

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

  
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Robert B. O'Rourke  
Reg. No. 46,972

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/750,396
Filing Date	December 30, 2003
First Named Inventor:	Nikolai G. Nikolov
Art Unit	2194
Examiner Name	Kimball, Makayla T.
Attorney Docket Number	6570.P039

 Sheet **1** of **3**
**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If known)				
		US-	7,093,234	08-15-2006	Hibbeler et al.	
		US-	2002/0170036	11-14-2002	Cobb et al.	
		US-	2005/0039171 A1	02-17-2005	Avakian et al.	
		US-	2005/0039187 A1	02-17-2005	Avakian et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

 Examiner  
Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<b>Substitute for Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/750,396
				Filing Date	December 30, 2003
				First Named Inventor:	Nikolai G. Nikolov
				Art Unit	2194
				Examiner Name	Kimball, Makayla T.
Sheet	2	of	3	Attorney Docket Number	6570.P039
<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T <sup>2</sup>
		GEOFF A. COHEN et al., "Automatic Program Transformation with JOIE", Paper, Department of Computer Science, Duke University, 12 pages			
		ALAN SNYDER, "The Essence of Objects: Concepts and Terms", IEEE Software, January 1993, pp. 31-42, Sunsoft, Mountain View			
		Duke University, "The Java Object Instrumentation Environment", <a href="http://www.cs.duke.edu/ari/joie/">www.cs.duke.edu/ari/joie/</a> , last updated May 2003, printed September 28, 2006, 2 pages.			
		RALPH KELLER et al., "Supporting the Integration and Evolution of Components Through Binary Component Adaptation", <a href="http://www.cs.ucsb.edu/oocsb">www.cs.ucsb.edu/oocsb</a> , September 9, 1997, Technical Report TRCS97-15, 12 pages			
		HAN BOK LEE, "BIT: Bytecode Instrumenting Tool" University of Colorado, Department of Computer Science 1997, 51 pages			
		MARKUS DAHM, "Welcome to the Byte Code Engineering Library 4.4.1", <a href="http://bcel.sourceforge.net/main.html">http://bcel.sourceforge.net/main.html</a> , last updated 4/12/2002, 2 pages, printed September 28, 2006			
		Alphaworks, "Jikes Bytecode Toolkit: Overview", <a href="http://www.alphaworks.ibm.com/tech/jikesbt">www.alphaworks.ibm.com/tech/jikesbt</a> , posted March 31, 2000, 2 pages, printed September 28, 2006			

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

[illegible]

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

## Complete if Known

Application Number	10/750,396
Filing Date	December 30, 2003
First Named Inventor	Nikolai G. Nikolov
Examiner Name	Kimball, Makayla T.
Art Unit	2194
Attorney Docket No.	6570p039

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
45	57*	0	50.00
3	3*	0	200.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple Dependent claim, if not paid
1204 790	2204 395	**Reissue independent claims over original patent
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater, For Reissues, see below

SUBTOTAL (1) (\$) 0.00

### 2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet.
2053 130	2053 130	Non-English specification
1251 120	2251 60	Extension for reply within first month
1252 450	2252 225	Extension for reply within second month
1253 1,020	2253 510	Extension for reply within third month
1254 1,590	2254 795	Extension for reply within fourth month
1255 2,160	2255 1,080	Extension for reply within fifth month
1401 500	2401 250	Notice of Appeal
1402 500	2402 250	Filing a brief in support of an appeal
1403 1,000	2403 500	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1460 130	2460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
1806 180	1806 180	Submission of Information Disclosure Stmt
1809 790	1809 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

SUBTOTAL (2)

(\$) 180.00

Fee Paid

180.00

## SUBMITTED BY

Name (Print/Type) Robert B. O'Rourke

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Signature

Date 11/2/06